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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,136	12/03/2001	Bruce Alexander	VIGL118276	1933
26389	7590	01/14/2005	EXAMINER	
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347				LE, VU
ART UNIT		PAPER NUMBER		
		2613		

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/007,136	ALEXANDER ET AL.
	Examiner Vu Le	Art Unit 2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-56 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03 December 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 38-39, 41-42, 44-51, 55-56 are rejected under 35 U.S.C. 102(e) as being by Monroe et al, US Pub. 2002/0097322.**

Re claim 38, Monroe et al discloses a computer system having a graphic user interface including a display and a user interface device, including a method for processing image data (figs. 1-8, para 0016-0022), the method comprising:

obtaining a first frame of image data corresponding to an output from a digital capture device (para 0057-0058; in Monroe, video capturing of images includes obtaining a first frame of image data);

displaying the first frame of data within a display area in the graphical user interface (para 0057-0058);

obtaining a designation of at least one processing zone from the user interface device, wherein the processing zone corresponds to a specific geometric shape within the display area and includes processing rule data (para 0085-0094, 0097-0100);

displaying the processing zone within the display area of the graphical user interface (para 0085-0094, 0097-0100);

obtaining a second frame of image data corresponding to the output from the digital capture device (para 0057-0058. In Monroe, video capturing of images is continuous and consecutive, thus will include multiple image frames such as first, second, and so on);

determining whether there is significant change between the first and second frames within the at least one processing zone, wherein the determination of significant change is made by evaluating differential data corresponding to an adjustable parameter; and processing an event if a significant change is determined (para 0017, 0062-0063, 0102. In Monroe, MPEG compression is carried out for each respective zone. MPEG inherently evaluates differential processing of consecutive image frames e.g., between previous and current frames to determine motion shift of pixels in these frames. Thus, when automatic event detection is utilized in Monroe to activate the surveillance camera based on motion detection, MPEG would inherently provide the motion information).

Re claim 39, the method as recited in claim 38, wherein the geometric shape of the processing zones is characterized by a rectangle. (See fig. 6).

Re claim 41, the method as recited in claim 38, wherein the processing zone includes a hyperlink to one or more monitoring devices capable of input or output to a physical location that corresponds to the processing zone. (See para 0024, 0087-0088).

Re claim 42, the method as recited in claim 38, wherein evaluating the differential data includes statistically comparing a sample of pixels within the first and second frame

of image data. (See para 0017. MPEG inherently covers evaluating the differential data includes statistically comparing a sample of pixels between image frames).

Re claim 44, the method as recited in claim 38, wherein the adjustable parameter corresponds to a number of pixels to be compared. (See para 0082-0086. In Monroe, MPEG encoding to low/high resolution would effectively correspond to a number of pixels being differentially evaluated).

Re claim 45, the method as recited in claim 44, wherein the adjustable parameters are entered through a graphical user interface. (See para 0060, 0072-0073, 0109).

Re claim 46, the method as recited in claim 38, wherein the graphical user interface is a WWW browser user interface. (See para 0073).

Re claim 47, the method as recited in claim 38, wherein the adjustable parameter is dynamically modified. (See para 0060, 0190).

Re claim 48, the method as recited in claim 38 further comprising obtaining a designation of a second processing zone from the user interface device, wherein the second processing zone corresponds to a specific geometric shape within the display area and includes processing rule data, and wherein the processing rule data is different from the processing rule data from the previously designated processing zone. (See para 0085-0094, 0097-0100).

Re claim 49, the method as recited in claim 48, wherein at least one processing zone excludes an area from evaluation. (See para 0097-0102. In Monroe, the map zone is user selectable, thus any one of the zones can be excluded from evaluation).

Re claim 50, the method as recited in claim 38, wherein processing an event includes executing user-defined sequences if a significant change is determined. (See para 0102. In Monroe, the process of activating a camera, highlighting it on the map and displaying it on the video display zone after an event detection qualifies as user-defined sequences).

Re claim 51, the method as recited in claim 50, wherein processing an event includes sounding alarm. (See para 0102. In Monroe, a panic button qualifies as sounding alarm).

Re claim 55, a computer-readable medium having computer-executable instructions for performing the method recited in claim 38. (See Monroe et al, para 0017).

Re claim 56, a computer system having a processor, a memory, and an operating environment, the computer system operable to perform the method recited in claim 38. (See Monroe et al, para 0017. The PC-based monitoring station inherently includes a processor, a memory and an operating environment).

Re claims 1-2, 4-6, 8-15, 19-20, these claims have been analyzed and rejected w/r to claims 38-39, 41-42, 44-51, 55-56. Specifically, claim 1 is to claim 38, 2(39), 4(45-46), 5(41), 6(42), 8(44), 9(45), 10(46), 11(47), 12(38,42,48), 13(49), 14(50), 15(51), 19(55), 20(56).

Re claims 21-22, 24-26, 28-34, these claims have been analyzed and rejected w/r to claims 38-39, 41-42, 44-51, 55-56. Specifically, claim 21 is to claim 38, 22(39),

24(45-46), 25(41), 26(42), 28(44), 29(45), 30(47), 31(38,42,48), 32(49), 33(50), 34(51).

Monroe et al discloses both a method and system (see figs. 1-8).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 3 & 7, 23 &27, 40 & 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe et al.**

Re claim 40, Monroe et al discloses partitioning the display monitor into processing zone(s) with each zone corresponds to a geometric shape characterized by a rectangle (fig. 6). The zone(s) characterized by a circle as claimed is not disclose. However, Official Notice is taken to note that partitioning the display monitor into circular display zone(s) as claimed would have required simple graphical display manipulation or synthesis, and such convention is notoriously well known in the art and would have been obvious to incorporate as an alternative to a rectangular display zone(s) as taught by Monroe.

Re claim 43, Monroe discloses evaluating the differential data among pixels between frames, but does not explicitly disclose said differential data includes specific color data for individual pixels. However, MPEG encoding disclosed in Monroe (see para 0017, 0062-0063, 0102) is capable of processing both monochrome and color source image. Thus, it would have been obvious in Monroe that when the source image

is a color image, differential data resulted from MPEG processing would result in color differential data.

Re claims 3 & 7, these claims have been analyzed and rejected w/r to claims 40 and 43 respectively.

Re claims 23 & 27, these claims have been analyzed and rejected w/r to claims 40 and 43 respectively. Monroe et al discloses both a method and system (see figs. 1-8).

5. Claims 16-18, 35-37, 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe et al as applied to claims 14, 33, 50 respectively and further in view of Trcka et al, US Pub 2001/0039579.

Re claim 52, Monroe discloses processing an event as recited in claim 50, but fails to disclose processing an event includes archiving video data. However, such convention is made well known as evidenced by Trcka et al (See para 0014 – 0017, figs. 7-9, para 0100 – 0107).

Therefore, taking the combined teaching of Monroe et al and Trcka et al as a whole, it would have been obvious to modify Monroe et al to include processing an event includes archiving video data as taught in Trcka et al for the benefit of allowing remote users or clients to automatically and interactively monitoring and analyzing recorded video data over a network such as the internet (Trcka, "Summary of the Invention").

Re claim 53, the method as recited in claim 52, wherein archiving the video includes storing the video data in a file directory corresponding to given time period. (See Trcka, para 0042 – 0045).

Re claim 54, the method as recited in claim 52, wherein archiving the video includes naming the file directory according to a time of the day. (See Trcka, para 0043 – 0044, e.g., time/date stamps).

Re claims 16-18, these claims have been analyzed and rejected w/r to claims 52-54 respectively. Monroe et al discloses both a method and system (see figs. 1-8).

Re claims 35-37, these claims have been analyzed and rejected w/r to claims 52-54 respectively. Monroe et al and Trcka et al discloses both a method and system (See Monroe figs. 1-8, and Trcka figs. 7-9).

Contact

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu Le whose telephone number is 703-308-6613. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vu Le
Primary Examiner
AU 2613
(703) 308-6613
Vu.Le@uspto.gov